

July 20, 2005

Ms. Kathleen Clarke, Director
Bureau of Land Management
Attention: Revisions to Grazing Regulations /Final EIS
1620 L Street, N.W. - (Room 201)
Washington DC 20036
Dear Ms. Clarke:

The Environmental Protection Agency (EPA) has reviewed the Bureau of Land Management's (BLM) June 2005 final Environmental Impact Statement analyzing three alternatives for Proposed Revisions to its Grazing Regulations on Public Lands. Our review also included the Proposed Final Regulations in Appendix A for 43 CFR Part 4100. Our comments on the final EIS and on the proposed changes to the regulations are provided pursuant to our responsibilities and authorities under section 309 of the Clean Air Act and the National Environmental Policy Act.

The final EIS has addressed the majority of EPA's comments concerning water quality, aquatic habitat, implementation of rule changes, and data to support predictions. While information in the response to comments addresses the rationale for delays in implementing land management changes, use of limited monitoring data needed to quickly respond to ongoing environmental impacts and other comments from our March 5, 2003, comment letter, we continue to have environmental concerns because there is still the potential for impacts to water quality. We suggest that BLM include ways to mitigate these impacts through policy, handbook guidance and field memos.

For example, EPA suggests that BLM update its policy and handbook guidance, especially the monitoring sections. In particular, we recommend that BLM's monitoring program should collect quantitative data at a smaller scale than the watershed level. Data from smaller scale units are more precise, and having baseline data will enable BLM to determine if predicted outcomes are achieved and rangeland health is improved from the current level.

Section 4180 addresses time frames for taking action to meet rangeland health standards. EPA requests that BLM develop policy and handbook guidance that addresses ways to mitigate impacts that occur if delays implementing land management changes in turn delay action to immediately protect water quality and rangeland resources.

EPA suggests that BLM include specific language in its policy or handbook guidance that instructs land managers to protect ecosystem health based on existing or modeled data when there is a lack of adequate monitoring or assessment resources.

Section 4130.4 provides that “BLM may authorize temporary changes in the grazing preference within the terms and conditions of a permit or lease to respond to annual fluctuations in timing and amount of forage production; or to meet locally established range readiness criteria.” EPA recognizes the difficult task of clearly defining “range readiness”. However, we suggest that generic criteria be defined and that BLM handbook guidance be updated with the latest rangeland science and geographic-specific best management practices related to range readiness.

EPA appreciates the opportunity to offer comments for your consideration; if you have questions, I can be reached at 202-564-5400. The staff contact for this review is Elaine Suriano; she can be reached at 202-564-7162.

Sincerely,

/S/

Anne Norton Miller
Director
Office of Federal Activities